

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JOHN THOMAS KLEIN,

Plaintiff(s),

v.

ROBERT LEE WILLIAMS AND KUHNLE
BROTHERS, INC.,

Defendant(s).

**DEFENDANTS NOTICE OF REMOVAL
PURSUANT TO 28 U.S.C. " 1441**

NOTICE OF REMOVAL

Petitioner/Defendant, Robert Lee Williams, by his undersigned attorney, pursuant to 28 U.S.C. §1441 *et. seq.*, file this Notice of Removal of this action from the Superior Court of the State of Delaware, in which it is now pending, to the United States District Court for the District of Delaware, and in support thereof respectfully avers as follows:

1. Petitioner has been named Defendant in a suit filed in the Superior Court of the State of Delaware, C.A. No.: N20C-06-237 DCS. Suit was originally filed on June 23, 2020, and service was perfected on Defendant, Robert Lee Williams on August 21, 2020.
2. Plaintiff John Thomas Klein is a resident of the State of New Jersey.
3. Defendant Robert Lee Williams is a resident of the Commonwealth of Pennsylvania.
4. Petitioner seeks to remove this action to this Court under Title 28 U.S.C. §1441.
5. Filed herewith as Exhibit 1 is the Writ served on the Petitioner, which includes a copy of the Complaint.
6. Petitioner/Defendant was served with the Complaint on August 21, 2020, attached hereto as Exhibit 2.

7. The above-entitled matter is a civil action in which the Plaintiff alleges negligence on the part of the Petitioner.

8. Petitioner is entitled to removal pursuant to 28 U.S.C. §1332(a)(1) as this is a matter in which the amount in controversy, upon information and belief, exceeds the sum or value of Seventy-Five Thousand Dollars (\$75,000) and between citizens of different states.

WHEREFORE, Petitioner/Defendant respectfully request that the above-entitled action be removed from the Superior Court of the State of Delaware to the United States District Court for the District of Delaware.

FRANKLIN & PROKOPIK

/s/ William A. Crawford

WILLIAM A. CRAWFORD (No. 5600)

MICHAEL P. TORRICE (No. 6079)

500 Creek View Road, Suite 502

Newark, DE 19711

(302) 594-9780

wcrawford@fandpnet.com

mtorrice@fandpnet.com

Attorneys for Defendant Robert Lee

Williams

Dated: August 28, 2020